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ABSTRACT

An examination of collective gaining (interaction between people in a collective and collaborative transaction in which everyone gains) in educational institutions involves comparisons with collective bargaining, two case studies, a discussion of theoretical bases, and a consideration of do's and don'ts. Collective bargaining is anti-intellectual, antagonistic, and produces unsatisfactory outcomes. Collective gaining, however, fosters communication and recognition of common goals and values. Outcomes include integrative (win-win) solutions or voluntary deference (deferring to superior claims). A case study of collective gaining in Forest Park (Illinois) shows that communication, open meetings, reduced time pressures, and unrestricted agendas enhance mutual understanding and interaction of teachers, principals, and school board members. Greater Latrobe (Pennsylvania) teachers and board members utilized a communications laboratory to resolve a dispute. Opposing sides met for several days and phases. Extensive questioning and open discussion were encouraged. Participants evaluated both gaining processes favorably. Collective gaining requires a skilled facilitator and is based on a sequence of critical events: creating readiness, communicating (which utilizes transactional analysis theory), understanding, trusting, accepting, caring, and gaining. Do's and don'ts of collective gaining involve such issues as recognizing the need for change, planning, and communications sessions. Tables provide participant evaluations and compare collective processes. (PB)

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Collective Bargaining: An Alternative to Conventional Bargaining

Richard Wynn

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Among the honors Wynn has received are the Outstanding Faculty Award by the Graduate Council of Students in Education at the University of Pittsburgh, the Distinguished Achievement Award for Excellence in Educational Journalism by the Educational Press Association of America, and the Distinguished Educator Award by the Tri State Area School Study Council.

He is listed in *Who's Who in the World, Who's Who in America, Contemporary Authors, The World's Who's Who of Authors, The Blue Book: Leaders in the English Speaking World, Directory of British and American Writers* and a number of other biographical references. He is a member of the University of Pittsburgh Chapter of Phi Delta Kappa.

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Collective Bargaining: An Alternative to Conventional Bargaining

By Richard Wynn

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Collective Bargaining and Collective Gaining Compared

The dictionary defines "collective" as "a number of persons acting together." In conventional collective bargaining, the rule is that there must be but one spokesperson for each side. A few others may listen and engage in caucuses, but nobody else is permitted to comment, much less participate. The term "collective" must refer to something other than the process.

"Bargaining" is defined as "the act of reaching agreement on the terms of an exchange or trade" or "haggling over terms." "Haggling" is defined as "disputing terms of an exchange in a petty and tedious manner," "trying to get more than one gives." It could hardly be called an exemplary mode of problem solving.

A slight alteration — deleting the first three letters in "bargaining" — creates a profound change in the concept and the process. Collective ~~bar~~gaining suggests that when persons interact in a truly collective and collaborative transaction they may all gain together. The consequence is peace, not war. Blessed be the peacemakers! The Beatitudes have nothing to say about hagglers.

The Collective Bargaining Debate

Collective bargaining in educational institutions has been criticized on many grounds. Some point to the lack of evidence that it has produced salaries and working conditions any better than those in districts without it. Others claim that it is inconsistent with democratic govern-

ment; that it denies public observation of the transaction of public business; that it requires a sharing of public authority with a private-interest organization; that it has contributed to the erosion of public support and confidence in schools; that it costs an exhorbitant amount of money for both sides; that it institutionalizes deception and is thereby corruptive; that it diminishes administrative authority and leadership opportunity; that it has contributed to the deterioration of teacher-teacher, teacher-board, and teacher-administrator relations; and that it has sometimes led to the violation of law and court mandates, thereby setting a negative object lesson for children and youth.

On the other hand, collective bargaining has been defended on the grounds that it has brought power equalization to employer-employee transactions; that it has improved working conditions; that it has reinforced due process in personnel matters; that it has provided for the unique wisdom, training, and experience of teachers to be used in the solution of school problems; that it has made teaching a more attractive career and thereby improved the quality of teacher recruits; that it has provided for teachers the same rights that are common to employees in the private sector; and that it has dissipated elements in the work environment that would otherwise detract from the effectiveness of teachers.

Discussion of these issues is beyond the scope of this fastback. I choose to discuss collective bargaining and collective gaining solely on the issues of their compatibility with principles of 1) rational problem solving, 2) conflict theory, and 3) intergroup relations. I shall discuss alternatives to confrontation bargaining that can eliminate the necessity of anyone being a loser.

Collective Bargaining: An Anti-intellectual Process

Conventional bargaining often reinforces anti-intellectual values. It encourages obfuscation of communication and stimulates "disinformation," a euphemism for lying. Demands and counterproposals are fabricated and inflated to provide spurious "throwaway" items, defended vigorously only to be discarded later in a false show of concession. Procrastination, filibustering, secrecy, hidden agendas, intran-

sigence, vituperative rhetoric, hypocrisy, and threats are common ploys for gaining power at the expense of reason. These behaviors tend to permeate the organizational climate and sow the seeds of anti-intellectualism, a singular tragedy in educational institutions, which should be bastions of intellectual life.

Several examples will illustrate this hypocrisy and anti-intellectualism. A widely experienced professional negotiator for teachers described in a seminar how the school board's negotiator had confided that he was losing the board's confidence because the board believed that he was not tough enough in resisting the teacher union's demands. The teacher negotiator, aware that the board was meeting next door, suggested that he and the board negotiator stage some phony histrionics to impress the board. They shouted at each other and pounded on the table. The board negotiator reported later that the ruse had worked. The board had congratulated their man on his show of backbone. I was not so much surprised by the episode as I was by the self-congratulatory attitude of the teacher negotiator who, before an audience, recounted this story. Evidently this hypocrisy did not offend his sensitivities. Small wonder that collective bargaining has often been described as a charade. This is behavior that you would not tolerate in the classroom. Edward Shils, an expert in labor-relations, states flatly that collective bargaining corrupts institutions.

A superintendent described how he reported at a board meeting that he had resolved a parking problem for teachers by leasing a parking lot across the street from a school. The president of the teacher union confronted him angrily after the meeting and said, "You can't do a thing like that. We haven't demanded it yet."

A professional mediator confided to me that he is commonly admonished by negotiators retained by school boards to "take your time in working out a solution because I am retained on an hourly basis." These examples of deceit are not unusual.

Conventional Bargaining and the Assumption of Antagonism

Conventional bargaining often proceeds from the assumption of inherent antagonism between teachers and board. Many of the titles of ar-

ticles dealing with bargaining in schools sound more like a guide to guerrilla warfare than an application of the Golden Rule to problem solving. Consider these titles:

"Tricks Unions Like to Play on School Boards"
"How to Handle a School Board Spy"
"Keeping Your Principals out of the Collective Bargaining Brawl"
"Get Tough: Give Teachers a Dose of Their Own Medicine"
"Why Shoot the Teacher?"
"Step Up the Crossfire: File More Grievances"
"Getting a Pound of Flesh"

These titles suggest that teachers and boards are in a position of opposition (side against side) rather than apposition (side by side) in a relationship of mutual dependence in achieving common goals. (I am indebted to Irving Goldaber for this concept.)

Teachers need strong, effective, supportive boards and administrators who, with them, are effective advocates for the improvement of education and the teaching profession. School boards and administrators need happy, supportive, productive teachers. This is best achieved when board and teachers recognize their appositeness rather than their oppositeness. Varicus studies, notably those by Sherif and Schein, have shown what happens to opposing groups in conflict. Each group becomes more cohesive; leadership of the group shifts to a more autocratic style; and group members are required to give more loyalty and conformity so that they present a united front. Each group sees the other as the enemy, which distorts perceptions of reality. Each group tends to see its own strengths and the other group's weaknesses. When the groups are forced to interact, as at the bargaining table, neither really listens to the other. This failure of communication makes it more difficult to correct false assumptions and easier to maintain hostile feelings. By sustaining opposition rather than apposition, conventional bargaining tends to deliver win-lose outcomes, or, at best, compromise, or, at worst, lose-lose outcomes. Let us turn now to a consideration of the outcomes of conflict.

Outcomes of Conflict

Persons or groups, perceiving themselves on a collision course, may choose to change course to avoid an encounter. Many potential conflicts are properly handled through this strategy of *avoidance*. A teacher and principal, for example, may be headed for conflict regarding the teacher's teaching style. The teacher accepts a position or transfer to another school in which the teaching style will be compatible with the expectations of the principal at that school. The conflict is avoided, not resolved.

Deadlock is common when neither party to a conflict is able or willing to mount sufficient power or influence over the other to gain victory. The political turmoil in Northern Ireland illustrates a deadlock that has continued over a long period of time. A deadlock may prevail for a time or it may be transformed eventually into any of the other outcomes except avoidance.

Lose-lose is a common outcome of conflict and often the most tragic. The strike by the air traffic controllers in 1981 is an example. The striking controllers lost their jobs and were denied other federal employment. The union lost its certification as the bargaining agent for the controllers. The government was forced to spend a substantial sum to train thousands of new controllers. The airlines lost revenue from cancelled flights. The public was inconvenienced. The nonstriking controllers were forced to work longer hours without vacations. They were subjected to increased job stress, albeit with increased wages. Many strikes, fueled by pride, stubbornness, hostility, greed, and other human frailties, produce the lose-lose outcomes that are all too common throughout society.

Win-lose outcomes are also very common in conventional bargaining. In fact, much of our conflict resolution apparatus is designed to deliver win-lose outcomes. We go to court or arbitration or elections or referenda or hearings for decisions that are commonly in the win-lose category: guilty or not guilty, sustained or denied, passed or defeated. Many people seem to prefer these unambiguous decisions; but one of the misfortunes of the antagonistic posture of conventional bargaining is that it often brings as much rejoicing over the defeat of the adversaries as over

the victory of the winners. I believe that we allow too many conflicts to result in win-lose outcomes when win-win solutions are possible.

Compromise is a common outcome of collective bargaining. Each side wins something and each side loses something or fails to get something it had hoped for. Compromise has an aura of preserving a balance or finding a middle ground. It has a certain ring of fairness but usually fails to produce a lasting solution. Workers who demand an increase of 10 paid sick-leave days and get five will return to the bargaining table to demand the five days they did not get, or more.

Mary Parker Follett has spoken brilliantly of win-win, or "integrative" solutions, as she calls them. They are the rarest of outcomes but they need not be. She believes that win-win outcomes would be more common if we were but sufficiently bright, creative, patient, well-trained, and compassionate to accomplish them. Integrative solutions are often difficult and time-consuming to achieve but they are the only fully satisfying and lasting outcomes of conflict. An example may help illustrate a win-win solution in what appeared to be a zero-sum issue, one in which, by definition, one party's gain must be accompanied by a corresponding loss by the other.

In a school district in which I was serving as a consultant, the teachers were seeking a substantial increase in the number of paid sick-leave days. The school board preferred to hold sick leave at its current level. A typical solution would have been a compromise somewhere between the two positions. I asked the teachers what the most perfect solution would be. They said it would be full-income protection for the full duration of any disability. The board was asked the same question and agreed that full-income protection would be ideal but contended that such a liberal benefit would be abused and the district would incur intolerable costs.

After much discussion and some research, a win-win solution emerged. The teachers and board agreed that a sick-leave bank would be established that would provide protection of limited duration. A group-income insurance program financed jointly by contributions from the district and from the teachers would provide more extended coverage. Everyone was a winner. Teachers now had complete salary protection regardless of the length of genuine disabilities. Peer pressure protected

against abuse because teachers monitored withdrawals from the sick-leave bank. (Insurance companies have their own means of protecting against abuse.) Teacher absenteeism was actually reduced slightly, and the cost to the district was about the same as before. Students spent fewer days in the company of substitute teachers, which was probably a blessing for both. Even the teachers who could no longer abuse the privilege were probably winners because they now had a clear conscience.

Some zero-sum issues cannot be resolved through win-win solutions. In such cases, we should look for *voluntary deference*, which is different from involuntary yield or surrender, which no one enjoys. We surrender when we are overcome by superior force or argument; in such circumstances we have no other choice. We defer voluntarily when we recognize and accept another's greater authority, superior knowledge, or greater stake in the issue at hand; we acquiesce but without bitterness. Voluntary deference is a behavior well known to all loving spouses and parents. I sometimes come home from work tired and hungry. If someone demands that I do a chore before I have dinner, I might respond with anger. But when my little daughter announces that I must see a picture she drew at school, even before I can take off my coat, I voluntarily defer.

Here is a more complex example. A college was facing a serious decline in enrollment and income, resulting in a surplus of faculty. The problem was laid before a faculty welfare committee. The college was on a three-term schedule and most professors were on three-term contracts. The committee, after considerable study, recommended that two-term appointments be made more attractive financially in order to lure a significant number of senior, higher-salaried professors into two-term appointments. For every two professors accepting this option, approximately one position was saved. Consider the probable consequences had the administration simply imposed this solution unilaterally upon the faculty; the college surely would have been confronted with litigation and a divided and demoralized faculty. If we give something voluntarily to another, it is not a loss. In the right environment, we can often bring ourselves to give something voluntarily that we never would surrender.

If a zero-sum issue is at stake and a win-win solution is unlikely, if "I'm OK, you're OK," if we recognize our position of apposition, both will weigh the cost of voluntary deference against the cost of win or loss to the other. We do this only when other is "OK" and when we care about other. Collective gaining fosters these conditions. Collective bargaining fosters the opposite. Voluntary deference requires action by only one party, but one party will tire of deferring all the time. Fortunately this outcome of conflict is contagious.

Reducing the Losses

One of our great challenges in institutional life, indeed in all of life, is to rearrange our environment in such a way that we may increase the frequency of wins and voluntary deferences and thereby eliminate the losses. This challenge suggests a number of strategies: greater use of consensus management, wider involvement of people in making decisions that affect them, and creation of a wholesome organizational climate, all of which are beyond the scope of this fastback. The challenge also involves rethinking our overdependence on antagonistic bargaining, which is not conducive to win-win and voluntary deference outcomes. Although enlightened people of good will in many school districts have made collective bargaining work with a minimum of rancor, I suspect that when this happens it is more a function of the quality of the people involved than of the process itself.

I argued in "Collective Bargaining" (*Phi Delta Kappan*, April 1970) that collective bargaining is inherently incompatible with fundamental principles of rational problem solving. Today I am even more persuaded that the widespread use of antagonistic bargaining has been a misfortune. We need a better object lesson for our young people when attempting to resolve conflict. Impasses, strikes, intimidation, unethical pressures on children and youth to gain public support, vandalism, lockouts, violations of court injunctions, excesses in picketing, interpersonal hostilities that smoulder for years after a strike: all are behaviors that we should not teach in the classroom. George Bernard Shaw observed that the real test of one's breeding is how well one behaves in a quarrel. To paraphrase him, one might say that the real test of an institution's character is how well it functions in the resolution of conflict.

Although I do not believe that collective bargaining will disappear, many school districts are searching for more civilized alternatives for resolving conflicts. Some districts will want to approach all problems through collective gaining models. Others may attack variable-sum problems that way but fall back to conventional bargaining on zero-sum issues. Even zero-sum issues may yield to win-win solutions or voluntary deferences in the right climate and with the right processes. In jurisdictions where collective bargaining does not already prevail, it is possible that successful application of collective gaining may preclude the advent of bargaining.

In Transactional Analysis terms, which we shall explore later, I see alternatives to collective bargaining as means of accelerating the maturation of the conflict resolution process from Child-Parent postures, so common in collective bargaining, to Adult-Adult postures.

Let us now consider two case studies of the collective gaining process that provide illustrative material and a point of departure for the theoretical bases of the process discussed in the last section of this fastback.

Collective Gaining at Forest Park, Illinois

The following excerpt from a story in the 16 June 1976 edition of *The World*, the local newspaper in Forest Park, Illinois, sets the scene for the first case study under discussion.

'Gaining' Not Perfect, but 'The Best There Is'

By Laurie Huget

The recent salary-benefit agreement between the District 91 School Board and the district's teachers was not the result of intensive collective bargaining, nor was the village subjected to fears of striking teachers and closed schools before contracts were signed.

Instead, the school board, administrators and elementary school teachers relied on a unique approach to evaluating problems and settling differences — "gaining."

The up-beat term is a shortened version of "bargaining," and the difference in the names of the two processes is indicative of the differences in the processes themselves.

According to School Board President Laureen Thornton, gaining is a process through which no side loses, but "everbody gains."

The idea of "collective gaining" was originated by Dr. Richard Wynn, professor of education and chairman of the Dept. of Educational Administration at the University of Pittsburgh. . . .

Supt. Arthur Jones said that since the district began utilizing the gaining process, "Communication between teachers, administrators, board members and parents has increased dramatically. Problems are resolved as they arise, and morale has been improved." . . .

Jones said the gaining process is more beneficial to the district than the traditional collective bargaining approach because committee meetings are held intermittently throughout the year, whereas most collective bargaining takes place only under the time pressures of contract expiration, school opening or strike deadlines.

Also, the sessions are open to the public, and public response is welcomed. The agenda for a gaining committee session lists problems that need to be solved, not demands and counter-demands as in much collective bargaining, Jones added. Board President Mrs. Thornton said the gaining approach is not perfect, but it is the best one she is aware of. "Compared to what we have," she said, "everything else is a poor second."

The Background

District 91 is located in Forest Park, Illinois, two miles west of the Chicago city limits. Today, as in 1972, it is a suburban community in the midst of a collective-bargaining stronghold. In 1982 it is a K-8 district with approximately 1,000 students and 70 professional employees. Its current expenditure per child is approximately $2,900.

In 1972 the district had experienced a bitter conflict over teacher organization rights and board authority as they related to collective bargaining rights in a state that provided no statutory authorization for bargaining by public school teachers at that time. Forest Park teachers had been represented in the conflict by a negotiator from the Illinois Education Association. The board had retained an outside professional negotiator, who had gained a reputation as an expert in helping boards "stonewall" bargaining initiatives by teachers. Administrators were caught in the crossfire of these opposing positions without authority to influence either position.

Into this highly charged atmosphere in Forest Park in 1972 I made my first appearance. Superintendent Arthur Jones, who assumed that position shortly after my first visit, described the circumstances in these terms:

> Constructive dialogue between the two parties was impossible. Suspicion and mistrust prevailed. Public support was divided and the progress of negotiations was hopelessly deadlocked. At this point, teachers, administrators, and board members agreed to explore a different means of negotiating as a last alternative.

Drawing upon communication theory, conflict theory, and the dynamics of small-group problem solving (I was unaware of Transac-

tional Analysis theory at the time), I specified the elements and conditions necessary to arrive at win-win solutions. I also called attention to the dysfunctional characteristics of conventional bargaining. I found it helpful to set these characteristics in juxtaposition to make the contrast more evident. Table 1 (on page 19), modified a bit since it first appeared in my article in the April 1970 *Phi Delta Kappa,* shows the characteristics of the two approaches in juxtaposition. Although I could cite no districts in which a gaining approach had been tested, I believed then, as I do now, that the supporting theory was sound.

The questions and comments that followed from the Forest Park people revealed both skepticism toward the gaining concept and a desperate desire to try something that might work. Together we came up with some implementing strategies and some structural features that might be considered in creating a working model of collective gaining. Most of the credit for translating the concept into an operating model and nurturing it through its delicate infancy belongs with Superintendent Jones and his colleagues in Forest Park, the professional staff and the school board. Thus the design, implementation, and fine tuning of the model have proceeded successfully over a period of 10 years in Forest Park. I have gone back from time to time to observe the process and offer a bit of counsel with respect to its refinement.

The Gaining Committee

The membership of the "Gaining Committee," as they speak of it in Forest Park, consists of five teachers elected to one-year terms by the faculty; the superintendent, who is an ex-officio member; one elected building principal; and two school board members. The latter three members serve overlapping two-year terms. The Gaining Committee meets monthly throughout the school term and schedules additional special meetings as needed. All teachers are given released time to meet monthly as building faculties, which serve as an extension of the gaining process. During these meetings, teacher members of the Gaining Committee solicit opinions of their colleagues regarding items under discussion and try to reach faculty consensus. These meetings keep teachers informed of Gaining Committee business and provide feedback regarding the views of all teachers. Although teacher representatives on the

Table 1. CHARACTERISTICS OF GAINING AND BARGAINING

	Gaining	Bargaining
Participants	board members, teachers, superintendent, others	negotiators
Motivation	concerns, aspirations	self-interests
Agenda	problems, questions	demands, counterproposals
Relationship With Other	apposition	opposition
Attitude Toward Other	You're OK	You're not OK
Position	accommodating	stubborn
Size of Group	large	small
Spokesperson(s)	everybody	one for each team
Communication	open, honest	deceptive
Dialogue	questioning, explaining, paraphrasing	exhortative, argumentative, dogmatic
Discourse	builds on agreement	belabors disagreement
Resistance Point	revealed	obscured
Mood	caring	hostile
Caucuses	between sessions only	frequent
Impasses	rare	common
Timing	throughout the year	procrastination until eve of contract expiration or opening of school
Tool	creativity	power, guile
Type of Transaction	Adult-Adult	Parent-Child
Role of Superintendent	resource person	adviser to board
Outside Expertise	process facilitator	negotiator, fact finder, arbitrator
Results	win-win, voluntary deference	win-lose, lose-lose, compromise, impasse

Gaining Committee attempt to represent the views of their constituencies as much as possible, they are expected to be sufficiently accommodating in their positions to make consensus possible. The goal is to find win-win solutions.

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During district administrative staff meetings and school board meetings, time is provided for Gaining Committee representatives to communicate to and to get feedback from their respective constituencies about the agenda items before the Committee. Their commitment to problem solving requires that all Gaining Committee members devote many hours to receiving and evaluating information from the groups they represent. Inservice programs have been provided over the years to help members of the Gaining Committee sharpen their skills in group decision making and conflict resolution.

Meetings of the Gaining Committee are open to anyone. Participation varies according to the level of public interest in particular matters under discussion. All interested persons are encouraged to participate in the discussions so that their views can be considered. Minutes of each meeting are distributed to all members of the professional staff, board members, PTA presidents, and members of the Citizens Advisory Committee. Open meetings and the feedback loops mentioned earlier tend to open communication, to build understanding and trust, and to democratize the decision-making process. The position of committee chair is rotated to minimize domination by individuals and to help all members share the sense of task orientation that is commonly associated with the position. Voting as a means of decision making is prohibited. The goal is to arrive at consensus. Total agreement is the ideal.

Time pressures for reaching consensus are minimized as much as possible. When members sense the need for additional information or direction, they may request that further discussion be tabled until they can consult with their constituencies. This is, of course, a form of caucusing. When committee members have difficulty reaching consensus, they reassess their positions to find areas of agreement as well as areas in which they must make more effort to accommodate divergent points of view. I spoke of this earlier as voluntary deference.

Another unusual feature of the Forest Park model is that the agenda is not restricted to matters relating to personnel policies and practices. The question of what is negotiable never arises in Forest Park. The agenda for each meeting is arrived at by consensus. It is composed of problems to be solved rather than demands or proposals from the

various constituencies. To avoid agenda overloading, agenda items are evaluated on the basis of the following criteria:

1. The problem should affect all groups represented, i.e., teachers, board, administrators.
2. The problem should reflect a need for integration of the views of all constituencies.
3. Solution of the problem should potentially benefit everyone, i.e., children, parents, teachers, administrators, and school board.
4. Fiscal and legal implications of the problem should be evaluated prior to deliberation by the Gaining Committee.

Gaining has been used in Forest Park to resolve such diverse problems as policies and procedures for reduction in force, teacher salary scheduling, pupil-progress reporting, major-medical coverage, student-teacher guidelines and procedures, priorities for curriculum development and program improvement, guidelines for extracurricular reimbursement, and school calendar, among many others. The Gaining Committee does not deal with individual personnel matters, such as evaluation of performance, dismissal, transfers, and grievances.

The decisions of the Gaining Committee dealing with zero-sum issues are put into the form of recommendations to the school board. For a period of 10 years, the Forest Park Board of Education has not rejected any recommendations of the Gaining Committee. Agreements on all other matters are translated directly into district policies and procedures, administrative rules and regulations, or other appropriate means for implementing decisions.

What does it take to make the gaining process work? It requires a lot of time, patience, understanding, trust, and caring. One is reminded of Ralph Barton Perry's observation that democracy is the best and the most difficult form of political organization — the most difficult because it is the best. The process requires that participants be open with each other and that they listen objectively. (I shall have more to say later about open communication, the magic ingredient of the gaining approach.) Participants must learn to trust and respect one another. Participants must not become hostile, yet no one must be expected to yield on matters of principle.

Since the gaining process is so delicate, it requires an unusual facilitator: one who has abundant sensitivity, patience, and respect and trust for all; one who has wisdom, sharp group-process skills, and high level communication skills; and, above all, one who has an unremitting faith in the democratic process. If others in the group have the same skills, the facilitator's task is much easier.

The Payoffs

What are the payoffs of collective gaining? In a paper presented at the 1979 convention of the American Association of School Administrators, Superintendent Jones spoke of them as follows (parenthetical remarks added by author):

- Teachers are able to present items or problems for discussion whenever the need arises. (Compare this with the common statement heard in collective bargaining settings, "We'll see you at the bargaining table.")
- Teachers have regular access to the board of education and administration.
- Teachers gain better understanding of the role and responsibility of the administrators and board members.
- Principals have the opportunity to participate in discussion and share their impression of the impact of an agreement prior to the time of settlement.
- Principals can participate with teachers and board members as partners in the decision-making process. (Compare this with the common complaint of principals in the collective bargaining scene that they have little input in the negotiation of the contract, much of which they must administer.)
- Board members gain a great deal of knowledge about the educative process.
- Board members gain an increased understanding and respect for the role and responsibilities of teachers.
- The district benefits from decisions weighed relative to their effect on children and the educative process.

- Barriers to communication are removed.
- There is greater clarification and acceptance of organizational goals.
- Greater cohesiveness develops.
- Community support increases.
- Participative decision making at all levels of district operation increases. Time is devoted to seeking agreement on issues and improvement of the educational process rather than on devising strategies whereby the teachers may be held in check or blocked in their efforts to assert their professional identities.

The gaining model is not perfect. Not all problems have been successfully resolved. Not all Forest Park teachers have accepted collective gaining as the preferred mode. Some see the process as too informal, as subject to changes in the attitudes of board members and administrators, and as not binding enough to protect teacher security and professional rights adequately. Yet the process is alive and well after 10 years. Teachers, administrators, and board members on the Gaining Committee report satisfaction with both the product and the process, as the data from an opinion survey in 1982 reveal (see Table 2 on page 24).

Table 2. EVALUATION OF COLLECTIVE GAINING

How do you rate the following results and consequences of this process with the results and consequences you would have expected from the conventional bargaining process?	*teacher representatives*						*school board members*						*administrators*					
	much better	better	about the same	worse	much worse	don't know	much better	better	about the same	worse	much worse	don't know	much better	better	about the same	worse	much worse	don't know
Results																		
a. salary provisions	1		2			1		2					1	1				
b. fringe benefits		1	2			1		2						2				
c. job security		3						1	1				1		1			
d. other conditions of employment	2	2						2					2					
Consequences																		
e. understanding of your concerns by the other group	4						1	1					1	1				
f. understanding of the other group's concerns by your group	4						1	1					1	1				
g. level of trust developed	3	1					2						2					
h. level of good will developed	3	1					2						2					
i. hours of work required to reach agreement		2	1	1			1		1				1	1				
j. date of settlement	1	1	1	1				2					2					
k. financial costs of process	3				1		2						2					
l. public relations posture	2	2					2						2					
If you had it to do over again, would you opt for this process rather than conventional collective bargaining mode?	yes 4 no 0 uncertain 0						yes 2 no 0 uncertain 0						yes 2 no 0 uncertain 0					

Communications Laboratory at Greater Latrobe, Pennsylvania

The following editorial, which appeared in the 1 June 1982 edition of *The Latrobe Bulletin*, sets the scene for discussing the second case study, the Greater Latrobe School District (GLSD).

GLSD History Made

Those interested in the uninterrupted continuance of the educational process in the Greater Latrobe School District can breathe easier these days.

And at the same time they should be cheering the contract negotiating teams of the Greater Latrobe Board of Education and the Greater Latrobe Education Association, which represents 258 teachers in the GLSD.

The two sides put together a labor package that resulted in historic developments within the GLSD. . . .

A new contract was negotiated a full two months ahead of the expiration of the current pact on July 31!

The contract was accepted by unanimous vote by the teachers who attended the ratification meeting; in fact, the rank-and-file stood and applauded the work done by its negotiating team!

This is a far cry from past experiences in bargaining between the GLSD's board and its teachers.

Only once since the enactment of ACT 195 — otherwise known as the Public Employees Law in the state, which gives the teachers bargaining rights and the right to strike — was a contract achieved in the GLSD without traumatic trappings. There were three strikes and one contract was reached in an 11th hour agreement.

And animosity, unpleasantries and downright hostility were the ingredients prevalent during the negotiations, and they continued during the

strikes and even after the contract disputes were settled.

A new attitude unquestionably has emerged within the GLSD; also a new positive relationship of respect between management and the teachers has developed.

No doubt the new system of negotiations . . . had a great deal to do with the saluatory and pleasant results which have surfaced in the GLSD.

More will be forthcoming on this unique and outstanding method of bargaining; we feel that not only should the public know all about it but it may provide an incentive for other school districts and other labor contract negotiators to utilize it or at least explore its potential for more meaningful bargaining techniques.

The Background

Irving Goldaber, director of the Center for the Practice of Conflict Management in Miami, Florida, has developed a model for conflict resolution that he has used successfully in many crisis-intervention settings — hijackings, hostage takings, riots, and other instances of terrorism. He calls it a "communications laboratory." Samuel Francis, executive secretary of the Tri State Area School Study Council at the University of Pittsburgh, Goldaber, and I agreed that we should try the communications laboratory model as an alternative to the collective bargaining mode in a school district. Through the auspices of the Study Council, we sought a district with a history of difficult contract negotiations. The Greater Latrobe School District fit our requirements.

This school district is located in Westmoreland County, 35 miles east of Pittsburgh. Latrobe is noteworthy as the home of Fred Rogers and Arnold Palmer, several specialty steel mills, and the first professional football game.

The budget of the school district in 1981-82 was $12,263,564. In the same year, the district enrolled 4,554 students and employed 421 persons of whom 244 were members of the Greater Latrobe Education Association (GLEA). GLEA is an affiliate of the Pennsylvania State Education Association (PSEA) and the representative of professional employees for bargaining purposes. Previous contracts had been negotiated by the school board attorney and by the GLEA with the assistance of the PSEA UniServ representative. As noted earlier, strikes had become common in contract negotiations in Latrobe.

Harry Wolfe was appointed superintendent in 1979, just before the ratification of a three-year contract that expired on 1 July 1982. He provided the opportunity for us to propose the use of the communications laboratory to the school board and to representatives of the GLEA. The idea was presented to both groups separately on 29 January 1982, and both agreed to try it. The GLEA even agreed to contribute $1,500 toward the cost of the endeavor; the district handled the remainder. Professors Samuel Francis, Nicholas DeFigio, and I, along with Terri Pope, a graduate student assistant with the Study Council, volunteered our services except for reimbursement for travel expenses. Goldaber was paid an honorarium and reimbursement for expenses. Terri Pope has written her dissertation on the undertaking; I recommend it as instructive reading for those seeking a more detailed description of the communications laboratory.

Both the school board and the GLEA were assured that the collective bargaining rights included in the statutes of Pennsylvania would not be abrogated. The communications laboratory would be tried instead of the conventional collective bargaining process, with the understanding that both parties would have the right to return to conventional bargaining at any time that they might become dissatisfied with the laboratory. This was assured by a provision in the protocol that if the number of participants from either group fell below five, the laboratory would be aborted and there would be a return to conventional bargaining. Any tentative agreements reached through the laboratory would be null and void unless carried over to the bargaining table by mutual consent.

The support of Ben Diebler and Carl McGarey, PSEA UniServ representatives in the region, was invaluable. The agreement of the superintendent, the school board, the bargaining unit, and the PSEA UniServ representatives to use this different approach was an act of courage. This novel approach attracted a great deal of attention and curiosity, and undoubtedly some skepticism, among other districts in western Pennsylvania, a stronghold of "hard-nosed" bargaining in school districts and the scene of many teacher strikes. This new approach, a sharp departure from conventional wisdom on how contracts should be developed, carried many risks — risks that could result in considerable embarrassment for all parties involved.

The protocol for the communications laboratory specified the procedures and rules by which the laboratory would be structured and managed. Development of this protocol, which was drafted by the consultants and the PSEA UniServ representative and modified after consultation with the GLEA, the superintendent, and the school board, was an important part of the planning process. The protocol was supplemented by a budget and by a set of rules governing the communication process. The rules were gradually relaxed as the discussion progressed.

The laboratory was divided into several phases, which will be described briefly. The pre-laboratory phase included such tasks as negotiating the protocol, selecting the site and physical arrangements, identifying the participants, orienting the participants to the nature of the experience, and preparing the agenda for Phase I. Both teachers and board members prepared, in question form, a list of concerns, complaints, aspirations, or queries germane to reaching agreement on a contract. All of these questions were placed on large pieces of paper to be hung on the walls of the meeting room for the beginning of Phase I. A neutral site, a nearby inn with excellent dining and meeting room facilities, was selected. Participants had the option of living on site or commuting. All of the local participants chose to commute.

The Communications Laboratory

Phase I began at 7:00 p.m., Friday, 26 March 1982 after the participants had dinner together. The eight GLEA representatives* plus their resource person, Ben Diebler, the PSEA UniServ representative, sat in a semicircle; facing them, also in a semicircle, were an equal number of board members** plus their resource person, Superintendent Harry Wolfe. At one juncture of the two groups sat Goldaber or his associate Susan Hagen, who served as facilitators throughout Phases I

*The teacher representatives included officers of the GLEA and some members who had negotiated previous contracts in the district.

**School boards in Pennsylvania are composed of nine members. There was one vacancy on the Greater Latrobe board at the time.

and II of the laboratory. Opposite them in the circle, at the other juncture of the two groups, sat Wynn, Francis, or DeFigio, who served as process analysts. McGarey and Pope sat at a nearby table taking notes on the substance of the discussion and keeping an almost continuous log on the dynamics of interaction using Bales's *Interaction Process Analysis*. No other observers were permitted. Participants helped themselves to refreshments and took breaks on their own while the discussion proceeded without interruption.

Goldaber reviewed the rules of communication governing the discussion and the objectives of this phase of the laboratory. Space permits mention of only a few of the rules. *Robert's Rules of Order* was not needed: nothing was out of order. Persons wishing to speak raised their hands and their names were recorded in order of their recognition by the facilitator. They were called upon in order; they could speak as long as they wished without interruption and as often as they wished but only in the order in which they were recognized. No question would be removed from the wall until all who wished to address it had done so, a procedure that was relaxed later by mutual consent because of time constraints.

On the wall behind the board members were eight large pieces of paper containing the board's questions. Here are two sample questions from that list:

> What can be done to improve teacher performance?
> How do we manage decreasing resources with increasing costs?

The board's questions were largely organizational and task oriented, or they addressed issues of philosophy of education and the psychology of personnel management.

The other three walls of the large room were covered with sheets of paper listing 65 questions prepared by the GLEA. The teachers' questions largely, but not entirely, addressed matters of personnel practice, work rules, and conditions of employment. Although no one commented on the large difference in the number of questions from each group, this discrepancy seemed to create a sense of overwhelming burden. Here are some sample questions from the teachers' list:

Why can't reasonable people sit down and reach reasonable conclusions?

Does the negative language in the contract reflect the board's true feelings and attitudes toward teachers?

Why does everything get put off until August?

What would the district lose with a voluntary, early-retirement incentive program?

Why are teachers expected to assume police duties?

Isn't salary parity with like districts in the county a reasonable goal?

How do you expect to hire quality teachers for $8,600?

Goldaber explained that the purpose of this session was "to get it out," *it* meaning everything that stood in the way of writing a contract. He explained that participants were not there to write a new contract but to develop "a contract writing readiness." He cautioned that neither group would be committed to anything that might be said in this session, but nothing would prevent commitment if the group so wished. He stressed that it was not necessary to reach agreement (although it could happen) in this phase of the laboratory but to listen and to try to understand and trust the people and the process. He urged all participants to regard the questions on the wall as common property of the two groups. The questions would have to be addressed in order for the communications laboratory participants to accomplish their goal, the writing of a contract. He emphasized that the two groups needed each other, that in apposition they were working together for a common good.

The facilitator reviewed a provision in the protocol stating that the resource persons would listen but not speak in Phase I. He and the people from the University of Pittsburgh would create the environment and monitor the process but not intervene in the substance of the discussion. The outside persons were not there as mediators. An opportunity for understanding, and perhaps agreement, was there and the group was challenged to "seize the opportunity." These words became a sort of catch phrase throughout the sessions.

The board won a coin toss and the discussion began with their first question: "What are the responsibilities of teachers in the Greater Latrobe School District?" An estimated 80% of the discussion of this

concern came from the teachers. My conclusion was that the teachers enriched the board's understanding and appreciation of the responsibilities of, as well as the frustrations of, the teacher in contemporary society and in the specific context of the local school district. The groups needed one-and-a-half hours to exhaust the discussion of this question, a discussion that often strayed from the question. Parties in conflict usually require a lot of time to explore the issues that divide them and to ventilate their feelings. Richard Walton, in his book, *Interpersonal Peacemaking*, speaks of this as the "differentiation phase" which must run its course before the "integration phase" can begin. When the first session of Phase I adjourned at midnight, only three questions had been removed from the wall.

The second session of Phase I began after breakfast on Saturday. The facilitator called attention to a change in procedure as set forth in the protocol. Hereafter, if the speaker consented, a member of the other group would be permitted to interrupt. With *Robert's Rules of Order* set aside and with no statement out of order, the people often rambled from question to question, sometimes far afield from the question before them. This "getting it all out," of course, is one of the salient features of the communications laboratory. Discussion is free to go wherever the speakers wish to take it.

When the facilitator asked for nominations of questions that could be removed from the walls, the teachers agreed to remove 20 of theirs that had been spoken to gratuitously and two that had been deliberately addressed. The board agreed to remove two questions that had been addressed deliberately as well as two others that had been brought into the discussion. A sense of progress pervaded the group.

At the beginning of the afternoon session, the facilitator introduced another change in procedure. Anyone could request that all present be polled for an opinion on the question before the group. This is a strategy to assess quickly whether the group is approaching consensus. It helps to compress otherwise extended remarks. Now the questions were removed from the walls more rapidly. Discussion was merging into what Walton terms the "integrative phase where the parties appreciate their similarities, acknowledge their common goals, own up to positive aspects of their ambivalencies, express warmth and respect, and/or

engage in other positive actions to manage their conflicts." By adjournment at 5:30 p.m. on the second day, 32 questions remained. Although little had been agreed upon, one sensed that understanding, acceptance, and trust were growing and that many of the concerns that stood in the way of writing a contract were being removed.

Phase II began Sunday morning. The facilitator took stock of where we were. He observed that people were "enjoying the reality of the other group, while working hard with a method of living together that made it possible." I suspect that many of the group would not have used the word "enjoying," because the discussions were tedious, spirited, and often spurious, although never discourteous. Goldaber pointed out that we would compress the process of "learning to live together as a family" because of time limitations. He challenged the "family" to 1) work together toward a shared goal — the well-being of youngsters, community, and each other; 2) recognize the reciprocity of need among family members; and 3) strengthen trust.

As the participants moved into Phase II, they were broken into two mixed working groups, each composed of equal numbers of teachers and board members. They were instructed to develop statements of general understanding for the ingredients of a contract but not necessarily in final contract language. These statements were to focus on the themes of the questions from the previous discussions. The statements would be the joint possessions of the mixed groups, so it would be necessary to iron out differences. The groups worked through the morning and early afternoon with a break for brunch. The resource persons, the superintendent, and PSEA UniServ representative sat with the groups.

By midafternoon the two groups came together to report and discuss their statements of understanding. Here is an example of a statement of understanding:

> We agree to work on clarifying paid and unpaid leaves; 1) review maternity leave for greater flexibility, 2) resolve problem of payment of fringe benefits, 3) include bereavement and sabbatical leaves in some form, and 4) discuss improved personal and emergency days and other unpaid leaves.

The two resource persons were now participating in the discussion. When something was said that appeared to be a consensus, the recorder was instructed to record it. This was the first provision for official recording of the substance of the discussions.

At this stage it was often impossible to determine from the comments which speakers were teachers and which were board members. Both were now speaking from a posture of understanding and concern for others as well as self. The dialogue revealed that persons in both groups were performing a variety of group task-building and maintenance roles: information seeker, opinion seeker, opinion giver, elaborator, coordinator, energizer, procedural technician, and recorder. Such dysfunctional roles as aggressor, dominator, help seeker, blocker, recognition seeker, and special-interest seeker, which had been evident earlier, were disappearing. By this time the ventilation of frustration and hostility had fully run its course; both groups were working hard to reach consensus.

In this session the mixed groups produced statements of general understanding on 10 items. The mixed groups had coalesced the original 20 statements into 10 without loss of anything significant because of the overlap among the original 20. Some of the statements of understanding were still ambiguous and there was still some residual disagreement.

The process now moved into the post-laboratory phase, in which work would proceed under the direction of personnel from the Tri State Area School Study Council and the Center for the Practice of Conflict Management. The facilitator instructed the combined groups to establish 10 committees with two board members and two teachers on each. For the next large group meeting the committees were to develop a detailed statement of consensus, in lay language, on each of the 10 items.

We expected that the understandings reached would be turned over to a neutral attorney, an expert in labor law, who would then write the contract. We also expected that at the next meeting of the total group, participants would approve the draft of a contract before submitting it to the GLEA membership and the board for ratification. However, events turned out to be different from our expectations.

The Communications Laboratory reconvened five weeks later, on Saturday, 1 May 1982 from 9:25 a.m. until 5:25 p.m. with a break for lunch. Discussion was devoted to a review of the work the joint committees had done on the statement of understanding. These dealt with compensation for extracurricular assignments; fringe and incentive benefits; provisions for meet-and-discuss sessions; paid and unpaid leave provisions; planning time; reduction in force, vacancy, and transfer policies; provisions for inservice programs; and seniority provisions. The discussion served to deepen understanding and acceptance by the total group of the understandings developed by the joint committees. Although the group reached understanding, they still found agreement elusive on a number of the issues. When they could not reach win-win solutions, voluntary deference emerged. When either side found that contractual commitment to such deference was unacceptable, the total group commonly used supplemental memoranda of agreement.

At the close of the meeting, the facilitator announced that the group had consensus and was now ready to move toward preparation of a draft of the contract. The group agreed to reconvene on 21 May 1982 to review the draft of the contract.

At this meeting the participants needed five additional hours of discussion to reach agreement on the changes that would be written into the contract. Wynn served as facilitator and Francis served as recorder. Both helped to phrase the decisions into contract language. The participants finally reached agreement on all items.

The meeting was adjourned after each participant gave an evaluation of both the product and the process of the communications laboratory by completing a questionnaire. Results of this evaluation are shown in Table 3 (on page 35).

The PSEA UniServ representative and the school board attorney were to meet to put the document into final legal form. Because of other commitments, Ben Diebler, the PSEA UniServ representative, could not find a mutually convenient time to meet with the board attorney, James Felice. At this point an unusual act of trust occurred. Diebler told Felice to go ahead and write the contract himself.

The happy ending of this case study is that both the board and the GLEA (186 of the 244 GLEA members were present) ratified the agree-

ment unanimously. The teachers gave their representatives a standing ovation, a story that captured headlines in the newspapers of Latrobe and surrounding communities. For once the Greater Latrobe School District had not come close to a strike.

Table 3. EVALUATION OF COMMUNICATIONS LABORATORY

How to you rate the following results and consequences of this process with the results and consequences you would have expected from the conventional bargaining process?	*school board members*						*teacher representatives*					
	much better	better	about the same	worse	much worse	don't know	much better	better	about the same	worse	much worse	don't know
Results												
a. salary provisions	2	2	3	1	1	—	2	4	2	1	—	—
b. fringe benefits	1	2	6	—	—	—	2	—	6	1	—	—
c. job security	—	2	6	—	—	1	1	2	1	4	—	1
d. other conditions of employment	1	5	3	—	—	—	1	5	2	1	—	—
Consequences												
e. understanding of your concerns by the other group	6	3	—	—	—	—	6	2	1	—	—	—
f. understanding of the other group's concerns by your group	6	3	—	—	—	—	6	2	1	—	—	—
g. level of trust developed	5	4	—	—	—	—	4	5	—	—	—	—
h. level of good will developed	7	2	—	—	—	—	4	5	—	—	—	—
i. hours of work required to reach agreement	2	3	2	1	—	1	3	4	1	1	—	—
j. date of settlement	5	4	—	—	—	—	8	1	—	—	—	—
k. financial costs of process	1	1	6	1	—	—	1	1	2	4	1	—
l. public relations posture	3	6	—	—	—	—	4	4	1	—	—	—
If you had it to do over again, would you opt for this process rather than the conventional collective bargaining mode?	yes 7 no 0 uncertain 2						yes 8 no 0 uncertain 1					

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Understanding the Magic of Collective Gaining

The brief descriptions of two alternatives to conventional bargaining suggest similarities and differences with respect to each other and to conventional bargaining. Participants' evaluation of both modes was positive, somewhat more so in Forest Park than in Latrobe. Ten years of experience in Forest Park might account for this. Although the two modes differ in several characteristics, as shown in Table 4, (on page 37), they both include the critical elements esential to gaining.

What is the "magic" of collective gaining? There is no magic. Collective gaining is well rooted in socio-psychological theory, based on the sequence of critical events shown in the following diagram.

Creating Readiness ⟶ Communicating ⟶ Understanding

Trusting ⟶ Accepting ⟶ Caring ⟶ Gaining

Hereinafter, in reference to this sequence, I shall use the acronym RCUTACG.

Creating Readiness. Readiness for change cannot be assumed. People do not usually seek change unless they are discomforted. Conventional collective bargaining may be producing satisfactory results. In the handyman's parlance, "If it ain't broke, don't fix it." Even though

Table 4. A COMPARISON OF GAINING, COMMUNICATION LAB, AND BARGAINING MODES

Characteristics	*Gaining*	*Lab*	*Bargaining*
open discussion prevails among participants	yes	yes	no
designed to foster "I'm OK, you're OK"	yes	yes	no
board members and teachers participate	yes	yes	no
superintendent participates in problem solving	yes	yes[1]	no[2]
direct and continuous linkage with all teachers, board members, administrators, and others	yes	no	no
agreements beyond staff personnel matters sought	yes	no[3]	no
agenda built upon problems, not demands	yes	yes	no
operative year round	yes	no	no
professional negotiators used	no	no[4]	yes[5]
formal contract produced	no[6]	yes	yes
outside consultant and/or facilitator necessary	no[7]	yes	no[8]
capability of quick fix of breakdown of bargaining	no[9]	yes	DNA

1. not at outset but in limited manner later
2. sometimes, not commonly
3. not in Latrobe but possible
4. may be used as resource person but not as negotiator
5. not always, but common
6. not in Forest Park, but could be
7. helpful and desirable, not imperative if climate is right and in-house group process expert is available
8. not unless impasse is reached
9. served as such in Forest Park but not well designed for such

DNA does not apply

dissatisfactions may exist with respect to bargaining, boards and teachers may not know of another way to negotiate with each other. Even if they do, they may be so acculturated to the conventional bargaining mode that they are reluctant to try an unfamiliar mode. Furthermore, teacher unions have fought long and hard to win collective bargaining rights over the years and have succeeded in getting legislation

enacted in many states. Some of these unions may have little tolerance for alternatives. The same may be true of school boards.

Disasters preceded both of the cases described earlier. Adversity provided a powerful motivation to search for a better way. Even when collective bargaining is working well, it is not capable of delivering the full array of satisfiers that teachers and boards seek. There is ample evidence that teacher morale is slipping in many districts in which conventional bargaining has been practiced for years. Let us review the relationship of need satisfaction to readiness as we consider alternatives to conventional bargaining.

Herzberg's motivation-maintenance theory, widely influential in managerial thought, challenges the notion that dissatisfaction with work is the opposite of satisfaction. He contends that the opposite of satisfaction is no satisfaction, not dissatisfaction. By reducing the sources of dissatisfaction it is possible to reduce the worker's sense of deprivation, but this does not necessarily lead to job satisfaction or increased motivation. Job satisfaction, according to Herzberg, comes from the presence of motivators or satisfiers. The distinction between the two is shown in this diagram from Herzberg's work.

Motivators (satisfiers)	*Maintenance* (dissatisfiers)
• achievement	• work environment (e.g., organizational climate and PHYSICAL CONDITIONS)
• advancement	• type of supervision
• work itself	• SALARY AND FRINGE BENEFITS
• growth	• JOB SECURITY
• responsibility	• attitudes and POLICIES OF ADMINISTRATION
• recognition	• status

Only those dissatisfiers appearing in capital letters (added by author) are negotiable in conventional collective bargaining. None of the satisfiers are! How does one negotiate "attitudes of administration," for example, when the teacher bargaining unit can speak only with a labor law at-

torney who is negotiating for the board? When dissatisfiers are absent and satisfiers are functioning well, teachers have little need to look beyond collective bargaining for alternatives. But when dissatisfiers exist, and satisfiers do not, teachers may be ready to consider alternatives. Such was the case in both Latrobe and Forest Park.

Boards and school administrators also have to fulfill needs: they have to assure productivity, hold employees accountable, enforce work rules, and assure uninterrupted schooling, among others. Unless both parties have incentives for resolving or controlling conflict, the prospects for win-win solutions are poor. In Forest Park and Latrobe both boards and teachers had come to realize that they needed the understanding and good will of the other party to reduce dissatisfiers and strengthen satisfiers. Collective gaining contributed to both. Collective bargaining had not been the answer. Indeed, in many school districts collective bargaining actually worsens the organizational climate, provides little recognition for achievement, and creates negative attitudes among administrators and teachers.

Communicating. One of the first comments I heard from a Greater Latrobe teacher after I had explained the communications laboratory approach was, "For once we may be able to *communicate* directly with the board." (Emphasis added.)

Art Rooney, Sr., the highly respected founder and owner of the Pittsburgh Steelers football team, says that if we could improve communication among people we could solve many more problems. Rooney says, "Most everybody is good. I really believe that in my heart. The problem is that things go so fast nowadays that no one takes time to talk, and you never find out that the other person is a good person. That's a shame. It really is." Rooney finds time to talk and to listen to people, which may explain the unusual success of the Steelers organization both on the field and in personnel relations.

Justice Louis Brandeis observed that nine-tenths of the serious controversies that arise in human affairs result from misunderstanding. If so, more effective communication is called for in the resolution of conflict. A strong motivating force in both Forest Park and Latrobe was the desire for better communication and less confrontation. Communica-

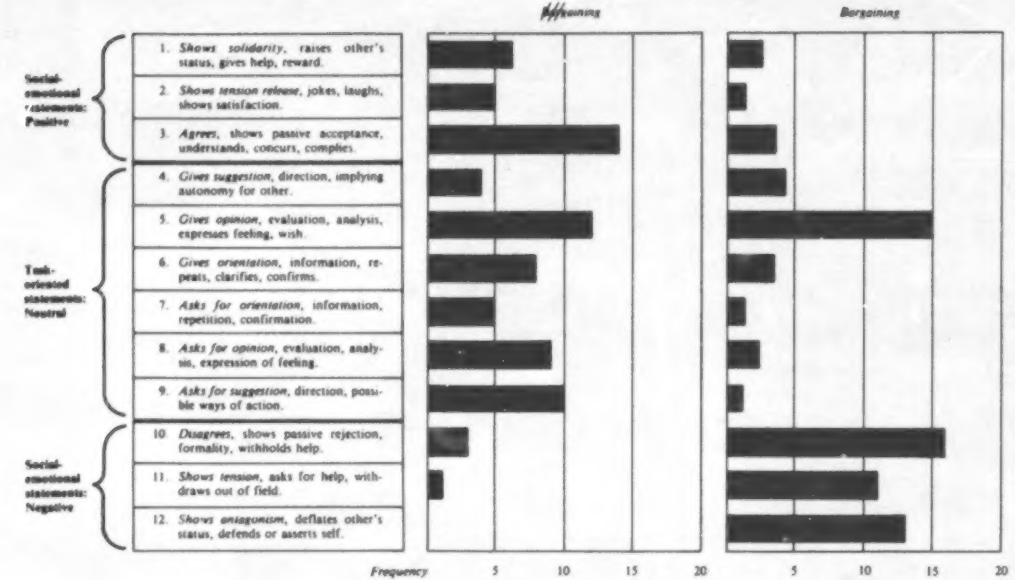
tion is the trigger for the entire RCUTACG sequence in both the collective gaining and communications laboratory models. The most salient feature of both is the establishment of open, unrestricted, intensive communication between board members and teacher representatives.

To understand the critical importance of communication in problem solving and the resolution of conflict, we turn to Carl Rogers, the eminent psychologist and psychotherapist. Rogers has said that psychotherapy is good communication within and between people and that the reverse is also true; good communication is always psychotherapeutic. Rogers points out that a major barrier to effective communication is our tendency to evaluate rather than to understand what others have said. The barrier can be avoided, says Rogers, by creating a situation in which each party comes to understand the other from the other's point of view. Even when feelings run high, this can happen under the influence of a person who is willing to understand each point of view and who acts as a catalyst to precipitate further understanding. This procedure, Rogers believes, can deal with the insincerities, defensive exaggerations, lies, and false fronts that characterize almost every failure in communication. The process is contagious. As one party drops its defensiveness, so does the other; distortions and hyperbole disappear with astonishing speed. Such was our experience in both Forest Park and Latrobe. Rogers says that as mutual communication is reached, it tends to be pointed more and more toward problem solving rather than attacking the other party.

> It leads to a situation in which I see how it appears to you, as well as to me, and you see how it appears to me as well as to you. Thus accurately and realistically defined, the problem is almost certain to yield to intelligent attack, or if it is in part insoluble, it will be comfortably accepted as such.

Table 5 (on page 41) illustrates the difference in communication between the gaining and the bargaining modes. I used Bales's *Interaction Process Analysis* to record data from a bargaining game in which the players had been trained to communicate as Rogers suggests and to transact their business in a gaining mode. The second set of data in the table includes data from a conventional collective-bargaining session. The

Table 5. COMPARISON OF ~~BARGAINING~~ AND BARGAINING AND BALES'S *INTERACTION PROCESS ANALYSIS*


~~Bargaining~~
Bargaining
Social-emotional statements: Positive
1. Shows solidarity, raises other's status, gives help, reward.
2. Shows tension release, jokes, laughs, shows satisfaction.
3. Agrees, shows passive acceptance, understands, concurs, complies.
Task-oriented statements: Neutral
4. Gives suggestion, direction, implying autonomy for other.
5. Gives opinion, evaluation, analysis, expresses feeling, wish.
6. Gives orientation, information, repeats, clarifies, confirms.
7. Asks for orientation, information, repetition, confirmation.
8. Asks for opinion, evaluation, analysis, expression of feeling.
9. Asks for suggestion, direction, possible ways of action.
Social-emotional statements: Negative
10. Disagrees, shows passive rejection, formality, withholds help.
11. Shows tension, asks for help, withdraws out of field.
12. Shows antagonism, deflates other's status, defends or asserts self.
Frequency
5
10
15
20
5
10
15
20

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contrast in the frequency counts reveals the differences in communication when parties are in hostile opposition rather than caring apposition.

Rogers notes that much communication is unproductive because of our tendency to evaluate what others have said before we truly understand. This tendency to evaluate is especially strong in situations where feelings and emotions are deeply involved, he says, but real communication occurs when we listen with understanding. He suggests this technique for understanding the other person from that person's point of view: "Each person can speak up for himself only after he has first restated the ideas and feelings of the person speaking, accurately and to that speaker's satisfaction." This happens when we ask for orientation, information, repetition, confirmation (category 7 in the accompanying table) and when we give orientation and information and repeat, clarify, and confirm (category 6). In table 5 we find 13 entries in categories 6 and 7 in the gaining session but only 4 such instances in the bargaining session. Note also the balance between queries and declaratory statements (24 in categories 4 to 6 and 24 in categories 7 to 9) in the gaining session and the imbalance (22 and 4 in the same categories) in the bargaining session. This reveals the greater effectiveness of dialogue in reaching understanding in gaining compared to the dialogue in bargaining. This understanding is critical in achieving acceptance, trust, and caring, all antecedents to win-win solutions.

The most striking contrast shown in the table is the frequency (40) of negative social-emotional statements (categories 10 to 12) in the collective bargaining mode compared to the frequency (4) in the same categories in the collective gaining mode. The bargaining mode suggests the "I'm not OK, you're not OK" posture of Transactional Analysis, which is explained next.

Transactional Analysis (TA) is a theory of personality and a mode of therapy as well as a mode of communication. TA, popularized in Thomas Harris's best seller, *I'm OK — You're OK*, draws on the work of Eric Berne. Harris says that all of us exhibit three ego states in our behavior. Child, Parent, and Adult. They have nothing to do with age or family roles. Each is a set of earlier experiences upon which we draw in our transactions with others. The Child typically feels small, dependent, inept, and unworthy. Many things in life happen to us that trigger

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childlike responses. Paternalistic behavior by administrators or board members is one. A Greater Latrobe teacher expressed Child feelings poignantly with this statement early in the communications laboratory.

> During the last strike I felt like a punished child. Our relationship stumbled and daddy was punishing the kids. I always let kids back in my good graces. . . . You guys have the power. Unless we find a way to participate with you, we can't deal with the board because you have the power. We can agree to disagree. Families fight but they love the strongest.

Another exchange from Greater Latrobe illustrates the Parent-Child transaction. It followed the teachers' request that a provision in the Pennsylvania School Code be included in the contract.

> Board member: Whatever the Code says, any board must follow. Why put it in the contract?
>
> Teacher: Because it's part of the family, not mother's or dad's. I would like it to be ours. . . .
>
> Board member: But it is not ours. It is the Code's.
>
> Board member: Why can't you take our word? I was insulted to sign a letter about layoffs.
>
> Teacher: That was your maternal instincts.

This teacher's response illustrates what Harris speaks of as "I'm not OK" feeling. It is probably not an uncommon feeling among teachers who have found the collective bargaining process unsatisfying. In Harris's terms, it "hooks the Child" and causes a replay of childlike feelings of rejection, frustration, abandonment, and depression. When one behaves this way, the Child has taken over. Although everyone has a "I'm not OK" Child in them, there can be "I'm OK" Child feelings as well.

The Parent is big, powerful, patronizing, and dogmatic. A Greater Latrobe board member gave expression to the Parent attitude with this statement:

> Discipline should start in the home. A kid should not get away with things. You [teachers] are taking my place as a parent. Take care of bad language even in social studies classes. Correct bad eating habits. How do you police your ranks?

This is a prototypic Parent expression of "I'm OK, you're not OK" to Child. Like Child, Parent may be seen by self or others as either OK or not OK.

Adult is the third stage. It may find expression by a person of any age. Adult is skillful in examining data objectively rather than judging its worth. Adult understands its meaning (back to Carl Rogers's point on page 40). Adult stores it away and then recalls it — in Harris's words, "trusting it to estimate probabilities" when necessary for decision making. Here are examples of Adult statements from the Greater Latrobe dialogue. They were not juxtaposed as they appear here.

> Board member: Tell us why that is a problem for you.

> Teacher: I respect your position and I think you understand our concern.

These three stages — Child, Parent, and Adult — are experienced by most of us to varying degrees. The boundaries between them are fragile.

An analysis of the dialogue in the Greater Latrobe communications laboratory reveals an evolution from Child and Parent behavior in the earlier stages to predominantly Adult behavior in the later sessions. This evolution is not inevitable. It is often ego-satisfying and less work to remain in Parent and Child transactions rather than Adult. In Forest Park and Latrobe, we constructed a social arrangement by which this evolution was reinforced by controlling the flow, but not the content, of the communication until Adult transactions became more common. Indeed, Transactional Analysis theory is useful to the facilitator in sensing when Adult behavior is emerging and when controls of the flow of communication may be relaxed.

The goal of Transactional Analysis in psychotherapy is not to change people but, with adequate nurturing, to let them become what they essentially are — OK. The goal of the communications laboratory and collective gaining is not psychotherapy but to create an environment in

which people may move more easily and surely from Parent and Child to Adult. Transactional Analysis theory posits these four positions held with respect to oneself and others: "I'm not OK, you're OK;" "I'm not OK, you're not OK;" "I'm OK, you're not OK;" and "I'm OK, you're OK." We may find any combination of Parent, Child, and Adult OK or not OK. Our hope for collective gaining lies, of course, in reaching "I'm OK, you're OK." Others need not be of like mind but are still OK. The first three positions come to us early in life and are largely unconscious, unless we are made aware of them through Transactional Analysis. The fourth, says Harris, is "based on thought, faith, and the wager of action." Dudley Bennett in *TA and the Manager* speaks of the fourth stage as an "authentic encounter" or "intimacy," which he regards as the direct expression, without reservations, of meaningful ideas and feelings among people. The Adult (facilitator) is in charge and allows Child and Parent free expression. It is not easy. Society frowns on candidness; and we fear being close and trusting.

Collective bargaining was a reaction to paternalistic management of schools. Such management was characterized by a spirit of "we love our teachers (Children) and we listen to them patiently and lovingly but trust us (Parents); we know what is best and we will take care of you." It was Parent saying "I'm OK, you're not OK." Harris believes that "if one humiliates the Child in another person long enough, he will turn into a monster." The monster in many cases turns out to be obdurate behavior at the bargaining table.

The outcomes of conventional bargaining are commonly win-lose, lose-lose, and compromise. With its adversarial posture and with professional negotiators playing out the charade, bargaining does not commonly lead to "I'm OK, you're OK" feelings. It leads to "haggling over terms." It does not provide the open communication that is essential to the RCUTACG sequence. Indeed, it often leads to confrontation, which makes the sequence impossible in many settings. Also, conventional bargaining is commonly limited to wages, hours, and conditions of employment — a carryover from the Parent-Child transaction. In gaining and in the communications laboratory, anything is discussible. Matters other than wages, hours, and conditions of employment in both Latrobe and Forest Park were often handled outside of formal contract

negotiations through memoranda of agreement and meet-and-discuss sessions.

Transactional Analysis theory can be applied to transactions among groups as well as among individuals. Harris believes that if we can achieve Adult-Adult transactions, we can work in the direction of a better world. That was the goal at Forest Park and at Latrobe. When the Adult-Adult relationship is established, the remainder of the RCUTACG sequence is almost assured. Let us now speak briefly of the remaining elements of that sequence.

Understanding. When organizational and interpersonal conflict occur, we often hear this comment: "There is a communications problem." We assume that if people could communicate better, agreement would be inevitable. Sometimes that is true, but agreement, while nice, is not necessary here or anywhere along the journey to collective gaining. Only understanding is imperative. When people are seen as OK or capable of becoming OK, and when trust, acceptance, and caring are present, true understanding almost always follows. Without these factors, continuing dialogue may simply exacerbate the conflict rather than reduce it.

A significant difference that relates to developing understanding exists between communication in conventional bargaining and in collective gaining. Consider the following steps in the decision-making process: 1) recognition of a problem, 2) definition and analysis of the problem, 3) establishment of criteria for an acceptable solution, 4) collection of relevant information, 5) identification of alternative solutions, 6) evaluation of each of the alternatives, 7) selection of the preferred solution, 8) formulation of the solution into policy or practice, 9) implementation of the decision, and 10) evaluation of the solution.

In conventional bargaining, the bargaining unit and the board make their separate ways through the first seven steps, even going to some pains to keep their deliberations secret. They then bring their demands to the bargaining table, demands that are forged through separate deliberations. As a result, they often enter the bargaining session with different perceptions of the problem, different sets of possible solutions, and different evaluations of the options available. They may even come together to resolve a problem that one side has not yet even

recognized. With mind sets closed they are not eager to start the decision-making sequence all over again. Integration of new ideas at this late stage in the process becomes difficult and often impossible.

In collective gaining both groups begin together with the first step, the recognition of the problem, commonly stated in question form. Both groups work their way together through the steps in the decision-making process. Through this collaborative process, they reduce discrepancies in the definition and understanding of the problem and the background information related to the problem. The process forces them to work together toward specification of the criteria of an acceptable solution, to consider together all of the alternatives and their consequences. When both groups travel together through this sequence of events, as they do in collective gaining, win-win solutions or voluntary deferences, rather than demands, tend to emerge naturally.

Trusting. In Forest Park and Latrobe we could observe the building of trust as understanding progressed. Although we never heard vulgarity, profanity, threats, perfidy, and epithets, which are common at bargaining tables, there was some passion, hyperbole, and mild sarcasm in Phase I at Greater Latrobe. However this kind of rhetoric gradually eroded as trust developed. Thoreau believed that we may safely trust a good deal more than we do and that trust is contagious. Trust given begets trust received. To make one trustworthy, we must trust.

Accepting. As noted earlier, collective bargaining puts teachers and boards — and often administrators — in a posture of opposites. We don't mind seeing opposites lose. We may even enjoy it if the hostility level is high enough. When seen as a contest in which stakes are high, boards and teachers often hire professionals (negotiators) to play the game for them in order to increase the likelihood of defeating the opposites. For this, they need a highly trained, highly skilled, highly experienced (and highly paid) surrogate.

Collective gaining begins when board and teachers sit down to reason together. This act of acceptance of other, without the presence of "hired guns," permits "I'm OK, you're OK" transactions to emerge. With acceptance comes caring.

Caring. Caring about others is the essence of morality. When we care, we can no longer celebrate defeat of others. We learn to care in an environment that permits caring to occur. Collective gaining is structured to create that environment, which is essential for win-win solutions and voluntary deference.

It is not necessary that we surrender any deeply held convictions. It is imperative that together we strive for solutions that do not require any surrendering, solutions that are acceptable to both of us without compromise of principle. As Edwin Markham put it in these eloquent couplets:

> He drew a circle that left me out,
> Heretic, rebel, a thing to flout.
> But love and I had wit to win,
> We drew a circle that took him in.

Only one caring party is required to draw the circle. It is amazing how willing we are to draw circles that take others in when we care about them, when we are in an Adult-Adult relationship, when we see both self and other as OK. Have you ever noticed how impossible it is to be uncaring about a person who persists in treating you nice? There is no defense against it. It is not necessary that I enjoy the transaction itself. Indeed, some of our most caring behavior is not enjoyable. Nonetheless we make the sacrifice because we care.

Gaining. When we are both in the circle, we are ready for mutual gain. We have created an archetype that establishes a climate and sets in motion a process that facilitates mutual gain at other times and on other problems. We get hooked on it. We mobilize common defenses against those who would destroy it. Goldaber reports that the process works even with terrorists, who often voluntarily defer and release hostages unharmed when skillful facilitators express understanding and caring feelings. Gaining is at least as much affective as it is cognitive.

Some Caveats

Gaining requires people who don't seek to destroy others by breaking the union, voting the school board out of office, or getting the

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superintendent fired. It requires people who, in Transactional Analysis terminology, are OK. OK groups can probably handle a few in their midst who are not OK. Indeed, many who appear not OK become OK when the processes of gaining envelop them.

I have spoken of collective gaining as a useful means of resolving conflict in teacher-board relations. It can be effective in resolving almost any interpersonal or intra-organizational conflict in schools. One example is especially noteworthy. According to a nationwide survey of principals reported in the *American School Board Journal* (January 1976), many principals feel betrayed, lonely, helpless, vulnerable, and resentful because they are left out of the decision-making processes in their schools. The report warns:

> Vast numbers of principals in the United States and Canada are providing ominous indications that they are perilously close to rebellion against top management in their school districts. . . . An overwhelming 86 percent of the responding principals are in favor of state laws that will guarantee their right to bargain directly with school boards and will force boards to negotiate in good faith with principals.

I believe that collective gaining could be a significant force in relieving the disenchantment of principals and preempting their movement toward collective bargaining. It can also be applied to intra-board conflict, intra-faculty conflict, racial conflict, and intra-student body conflict, among others.

The Role of the Facilitator

The presence of a skilled facilitator is as important to collective gaining as an official is to an athletic contest. The facilitator performs a number of key functions:

1. Assesses whether both parties are sufficiently ready and motivated to enter the collective-gaining adventure, thus avoiding confrontation that could exacerbate the conflict.

2. Establishes and enforces protocol that assures openness and balance in the dialogue.

3. Assures that the differentiation phase of the process and the Child and Parent transactions be played out before attempting to move into the integrative phase of the process.

4. Provides emotional support to both parties throughout.

5. Maintains an optimum level of tension in the encounter; too much or too little tension may be dysfunctional.

Richard Walton has specified the role attributes essential for the effective facilitator:

1. High professional expertise regarding social processes;
2. Low power over fate of participants;
3. High control over confrontation, setting, and process;
4. Moderate knowledge about the participants, issues, and background factors;
5. Neutrality with respect to substantive outcome, personal relationships, and conflict resolution methodology.

The Time Is Right

A special report on "The New Industrial Relations" in *Business Week* (11 May 1981) states that increasing numbers of industry, union, and academic authorities are coming to believe that a new industrial relations system is emerging. It includes these basic elements: a reform of collective bargaining, the development of nonadversary relationships in the work environment, and a thoroughgoing change in management style in which a hierarchical form of decision making is replaced with a participative process. I believe that many educational institutions are ready to respond to this trend.

There appears to be a softening of the militancy that characterized bargaining in the 1960s and 1970s. Increasingly leaders are recognizing the limitations of conventional bargaining as a mode for resolving problems. Many teachers yearn for institutional arrangements that will accommodate their participation in problem solving in a way that goes far beyond the traditional bargaining issues — wages, hours, and conditions of employment. Superintendents and other administrators see conventional bargaining as a constraint in their exercise of creative leadership. Many boards find value in more direct communication with employee representatives than conventional collective bargaining provides. The public's tolerance of impasses in collective bargaining is

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growing thin. Strikes are seen increasingly as no-win ventures. Some believe that collective bargaining results in behaviors that are not exemplary object lessons for children and youth.

Many districts may be ready to implement both the gaining council and the communications laboratory. They are compatible and complementary. The ideal arrangement would be the use of the communications laboratory to reach agreement on personnel matters in contract negotiations and the gaining model to develop policies and practices on a range of problems, using an open, participative mode on a year-round basis.

Some Do's and Don'ts

Readiness for Change

What is the quality of work life in the district?

Do use one of several good instruments to get hard data on the organizational climate and problem areas that need attention.

Don't guess; administrators are notorious over-estimators of such things because of filters in the communication system.

Are people ready for Adult-Adult transactions?

Do look at the history of strikes, eleventh-hour settlements, frequency of grievances and arbitration, absenteeism, and other evidence of dissatisfaction.

Don't be satisfied with a problem-solving mode that reinforces Child-Parent transactions.

Are teachers, board, and administrators hurting enough to want to change?

Do explore this through rap sessions.

Don't try to guess the answer.

Is departure from conventional bargaining feasible?

Do get an opinion from experts on Transactional Analysis theory.

Don't get an opinion from negotiators with experience only in the conventional mode. They have a vested interest in perpetuating it.

Do assure both parties that they need not surrender the right to fall back to statutory bargaining rights if necessary.

Don't ignore state or regional union representatives; their support, or at least neutrality, may be critical.

Planning for Gaining

What are the essentials?

Do consider the use of a skilled facilitator who understands Transactional Analysis theory, communications theory, and group problem-solving dynamics.

Don't compromise much with the essential structure and elements of collective gaining as set forth earlier.

Do set up protocol for the process.

Don't play it by ear; control of the flow of communication at the outset is important.

Do insist that board members and an equal number of teachers participate throughout.

Don't let meetings become uncontrolled bull sessions, which could exacerbate the conflict.

Do select a neutral and comfortable site to assure a good environment, and set time frames for sustained participation.

Don't let time and cost considerations compromise the quality. The value of a good contract and Adult-Adult relationship is hard to appraise.

Do make sure that the superintendent or former negotiators do not function in the familiar Parent role. It may be necessary to muzzle them until Adult-Adult transaction is reached.

Don't exclude the superintendent from the process. The superintendent must be involved in the evolution to "I'm OK, you're OK."

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The Communication Sessions

How do we assure open and therapeutic communication?

Do emphasize that understanding is imperative.

Don't be impatient. It takes time and there are no shortcuts. Adult-Adult transactions will surface in time in the right environment, but not until we have played out our Child-Parent transactions.

Do let Child-Parent transactions run their course, but reinforce the self-fulfilling prophecy that "we are all OK."

Don't let long intervals occur between sessions. Procrastination is dysfunctional. Gaining is in jeopardy until all problems are solved.

Do keep the group at work for long sessions. Make the law of inertia work for the success of the endeavor.

Don't let Child and Parent transactions outside the process intrude.

Do use a process observer, analyst, and adviser — someone with a delicate touch.

Don't compromise the integrity of the process by short circuiting the total group. It is a good way to erode trust.

Do plan for a few informal breaks. Win-win solutions may be incubated during informal sessions. Breaks for meals provide opportunity for informal caucuses.

Don't press for agreement.

In Case of Impasse

What if an impasse occurs?

Do stress the improbability of impasse in collective gaining.

Don't overlook alternatives to impasse: postponement of decision, joint study committees, future meet-and-discuss sessions, memoranda of understanding, etc.

Do have a contingency plan nonetheless.

Do consider last best offer choice by a panel of mutually acceptable local experts; it is the procedure most compatible with collective gaining.

Don't let the contingency plan become too attractive as an escape from the hours of discussion that are necessary.

Post Mortem

How can we profit from the experience?

Do hold a debriefing session with the participants to consider how the process might be improved.

Do hold a press conference to let the participants and the district get some good press.

Do prepare yourself for a special place in heaven for "Blessed be the peacemakers."

Don't be modest in sharing your accomplishments with other districts looking for a better way.

Don't let the euphoria recede. Consider exercising it year round through meet-and-discuss sessions.

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